

ADVISEMENT OF RIGHTS AT COMMENCEMENT OF TRIAL

RIGHT TO CHANGE PLEA:

You still have the opportunity to change your mind about going to trial. You may withdraw your not guilty plea and enter a plea of guilty or no contest to the charges against you. You may also enter a plea of guilty with an explanation. If the Court finds your explanation to be reasonable, the Judge/Commissioner will consider imposing a reduced penalty for the charged offense.

You may also request to attend Traffic School in order to keep this citation off of your driving record. If you meet the requirements to attend Traffic School, the Court WILL allow you to attend PRIOR to your trial. At the conclusion of your trial (if you are found guilty), the Court can deny your Traffic School request (for any reason or for no reason), even though you may otherwise be eligible to attend Traffic School. If the Court denies your request to attend Traffic School after trial, the Court is not required to give you the reason for the denial.

If you were involved in an automobile collision, you may wish to enter a No Contest plea because a No Contest plea will not have any effect on a civil lawsuit or claim brought against you for injuries or property damage. If you are found guilty, that finding can be used against you in a civil lawsuit or claim.

IF YOU WISH TO CHANGE YOUR PLEA, TAKE THIS SIGNED FORM TO THE CLERK (in the Courtroom) and your case will be called before the rest of the calendar. If you do not wish to change your plea, hand the signed form to the Bailiff when your case is called for trial.

RIGHT TO CONFRONT WITNESSES

You have the right to confront and cross-examine the People's witnesses who testify against you. Upon completion of the testimony by each of these witnesses, the Court will ask you whether you want to cross-examine the witness. Cross-examination means asking the witness questions about matter brought up in his or her testimony and other related matters concerning the case. It does not mean introducing your own testimony at that time. You may ask questions. You may not present your defense during cross-examination.

RIGHT TO REMAIN SILENT

You have the right not to testify in your case. This is your constitutional right to remain silent. Upon hearing the Officer or the People's witnesses testify in establishing a case against you, you may want to waive the right to remain silent by testifying to your version of the facts and your defenses. If you choose to testify, you give up the right to remain silent and will be subject to cross-examination by the Court or the District Attorney's representative on matters that you have brought up in your testimony, as well as other related matters.

RIGHT TO HAVE SENTENCING DELAYED

If you are found guilty, you have the right to have the sentencing delayed for a period of not less than six hours nor more than five days from the time/date of your trial. If you want to come back to this Court during that period and have the Court issue its sentence, please ask for this delay. If you do not request this delay, the Court will assume that you want to be sentenced immediately.

RIGHT TO APPEAL

If you are found guilty, you have the right to appeal the decision. You must file your appeal 30 days from the date of trial. An appeal is not a new trial, and you are not allowed to submit new or different evidence. On appeal, a panel of appellate judges will review a record of today's trial to determine whether good cause exists to support the decision of this Court. Please ask the clerk at the **front counter** (not the courtroom clerk) for the appeal packet. Any fine that is imposed must be paid pending any appeal. If you win the appeal, any fine you have paid will be refunded to you.

If you have any questions about the Court procedures or if you wish to request Traffic School or if you wish to change your plea, THIS MUST BE DONE BEFORE YOUR TRIAL STARTS. Submit this signed form to the clerk as soon as you determine that you wish to do something other than immediately proceed to trial.

I HAVE READ AND UNDERSTAND THESE RIGHTS

Print name

Sign name

Date